

Wetlands Bureau Decision Report

Decisions Taken
06/28/2010 to 07/04/2010

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2008-02473 TRAGER, DEBBI-LYN
GILFORD Lake Winnepesaukee

Requested Action:

Amend permit to allow 5 cribs to support the docking structure.

APPROVE AMENDMENT:

Amend permit to read: Reset rocks along 84 linear ft of breakwater and repair the associated "C" shaped docking facility, dredge 5.5 cu yd from 300 sq ft within the "C" shaped docking facility, remove a second "L" shaped crib pier, construct a 6 ft x 25 ft crib pier and a 4 ft x 25 ft crib pier connected in an "F" configuration by a 6 ft x 46 ft 6 in crib pier with a 14 ft x 30 ft seasonal canopy on property having an average of 422 feet of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 3, 2008, as received by DES on November 14, 2008 and crib amendment request plans as received by DES on June 24, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. Only rocks which have fallen from the existing breakwater shall be used for repair. No additional rocks may be brought on site for the purpose of repairing the breakwater.
5. All dredged or excavated material, and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Canopies shall be of seasonal construction type with a flexible fabric cover and shall be removed for the non-boating season.
9. Rocks shall not be stockpiled in jurisdiction.
10. Cribs shall have a minimum clear spacing of not less than 12 feet.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Permittee for a shoreline structure defined as a major project shall file a restrictive covenant in the appropriate registry of deeds dedicating the shoreline frontage to those structures.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of docking facilities providing 5 or more slips.
2. The applicant has an average of 422 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The proposed docking facility, in combination with the existing docks will provide 5 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The attempts to drive piles failed during construction, this supports the request for cribs to support the docking structure.
7. The modification of the support structure of the docking facility is not a significant modification of the original approved plan.

-Send to Governor and Executive Council-

2010-00412 GREEN, RICHARD & CARLEEN
MEREDITH Lake Winnepesaukee

Requested Action:

Repair and retain 37 linear foot breakwater with a 4 ft x 36 ft cantilevered dock with a 3 ft x 33 ft 4 inch piling and crib supported dock accessed by a 4 ft 5 in x 12 ft walkway, replace a 3 pile ice cluster, retain a single fender pile, a seasonal boatlift, and a seasonal PWC lift, on Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and retain 37 linear foot breakwater with a 4 ft x 36 ft cantilevered dock with a 3 ft x 33 ft 4 inch piling and crib supported dock accessed by a 4 ft 5 in x 12 ft walkway, replace a 3 pile ice cluster, retain a single fender pile, a seasonal boatlift, and a seasonal PWC lift, on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management revision dated May 27, 2010, as received by the Department on June 1, 2010.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 46 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
11. The seasonal boatlift shall be removed for the non-boating season.
12. The seasonal PWC lift shall be removed for the non-boating season.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The breakwater was previously permitted under DES permit 1991-562, however it was constructed with slightly different dimensions and smaller than permitted. This request to retain the existing dimensions meets DES rules for breakwater construction outlined in Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 100 feet of frontage along Lake Winnepesaukee, Meredith.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.13.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2004-00975 LAWSON, PATRICIA
RUMNEY Stinson Lake

Requested Action:

Remove rocks from an 24 sq ft abandoned crib structure placed in the lake in Stinson Lake, Rumney.

Conservation Commission/Staff Comments:

No Con Com comments by July 8, 2004.

APPROVE TIME EXTENSION:

Remove rocks from an 24 sq ft abandoned crib structure placed in the lake in Stinson Lake, Rumney.

With Conditions:

1. All work shall be in accordance with plans and construction sequence as received by the Department on May 18, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. Rocks shall be removed to the original lakebed contours.
5. This permit does not allow for any modifications to the existing shoreline.
6. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
7. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

Waive Env Wt 502.01 permit duration rule with following findings:

1. Applicant suffered severe medical condition, surgeries and subsequent rehabilitation which prohibited the completion under the permit in the time allotted.
2. The work remaining is minimal and should be completed within this summer/fall season.

2009-01240 NEW ENGLAND COLLEGE, PAULA AMATO
HENNIKER Unnamed Wetland

Requested Action:

Amend the Compensatory Mitigation Plan for Vernal Pool Impacts; specifically amend vernal pool no.'s 6 & 9 proposed locations.

APPROVE AMENDMENT:

Dredge and fill 6,948 sq. ft. of palustrine forested and scrub-shrub wetlands (100 year floodplain) for the conversion of an existing parking lot into an artificial turf athletic field.

With Conditions:

1. All work shall be in accordance with plans by Sebago Technics dated February 18, 2009, and revised through June 11, 2009, and plans dated May 27, 2009, and revised through June 10, 2009, as received by NHDES on June 15, 2009.
2. This permit is contingent on compliance with the Compensatory Mitigation Plan for Vernal Pool Impacts prepared for New England College, prepared by Sebago Technics, Inc. dated September 2009 (including pages 1-7 and attachments A-D), as received by the NHDES Wetlands Bureau on September 17, 2009 and revised vernal pool location plans received by the NHDES Wetlands Bureau on May 21, 2010.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

The NHDES Wetlands Bureau confirms original permit findings no.'s 1 - 18.

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of wetlands.
2. The proposed field is designed to meet minimal dimensions for an NCAA collegiate soccer field.
3. The athletic field location was chosen for the close proximity to the field house and campus.
4. There is no stormwater treatment associated with the existing parking area. The proposed artificial turf field is designed to allow stormwater to filter through a media and out through porous retaining wall into adjacent uplands and wetlands.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
6. The NHDES Shoreland Permit was issued on July 06, 2009 (2009-01169).
7. The NHDES Alteration of Terrain Program approval was issued on September 25, 2009, (AOT-0041).
8. In email correspondence received August 21, 2009, the Contoocook River North Branch Local Advisory Committee (CNBLRAC) indicated they were aware of the application and may comment at a later date.
9. Additional CNBLRAC comments were not received.
10. The proposed wetland impacts include direct impacts to four (4) vernal pools.
11. In correspondence dated July 22, 2009, the Department of the Army, New England District, Corps of Engineers (ACOE) stated the project was ineligible for authorization under the New Hampshire Programmatic General Permit (SPGP) because the Environmental Protection Agency (EPA) expressed concerns related to the project. Concerns include the lack of mitigation (five to six vernal pools) for the three vernal pools that will be filled. An ecological survey that includes a vernal pool survey for the remainder of the land owned by the college was also requested.
12. The Applicant prepared and submitted a vernal pool mitigation plan, which includes a deadline for the EPA requested ecological survey.
13. In email correspondence reviewed September 17, 2009, the EPA indicated the project was eligible for SPGP approval is the NHDES Wetlands Bureau approval was contingent on the vernal pool mitigation plan.
14. This permit is contingent on compliance with the Compensatory Mitigation Plan for Vernal Pool Impacts prepared for New England College, prepared by Sebago Technics, Inc. dated September 2009, as received by the NHDES Wetlands Bureau on September 17, 2009.
15. In the Town of Henniker, Board of Selectmen, May 05, 2009, Adopted Meeting Minutes the Board voted unanimously to approve the widening and relocating of the Class VI portion of Grove Street and to allow positioning of seasonal bleachers and a light pole in what will become the former right-of-way, as proposed in engineering plans, dated April 27, 2009.
16. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

17. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES Wetlands Bureau jurisdiction per Env-Wt 302.03.
18. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

The NHDES Wetlands Bureau also makes the following findings:

19. An amendment request for revised vernal pool locations (vernal pool no.'s 6 & 9) originally approved by the Compensatory Mitigation Plan for Vernal Pool Impacts was received by the NHDES Wetlands Bureau on May 21, 2010.
20. In email correspondence received May 27, 2010, the Environmental Protection Agency (EPA) indicated the amended vernal pool locations were acceptable.
21. Permit condition no. 1 was revised to include reference to the vernal pool location plan received May 21, 2010.

2010-00222 RACZKA, NANCY
ATKINSON Island Pond

Requested Action:

Repair and replace 94 linear feet of retaining wall on Island Pond, Atkinson.

Conservation Commission/Staff Comments:

Con Com did not submit any comments by April 02, 2010

DENY PERMIT:

Repair and replace 94 linear feet of retaining wall on Island Pond, Atkinson.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minor impact per Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
3. In accordance with Env-Wt 302.04, (a), (1), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impact by plan and example.
4. In accordance with Env-Wt 302.04, (a), (2), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate by plan and example that alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
5. In accordance with Env-Wt 302.04, (d),(1), Requirements for Application Evaluation, the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
6. In accordance with RSA 482-A:3,(b), the permit application fee for minor and major shoreline structure projects shall be \$200 plus an impact fee, based on the area of dredge, fill, or dock surface area proposed, or a combination. The shoreline structure impact fee shall be \$2 per square foot for permanent dock surface area; \$1 per square foot for seasonal dock surface area; and \$.20 per square foot for dredge or fill surface area or both.
7. In accordance with Env-Wt 404.01, Least Intrusive Method, shoreline stabilization shall be by the least intrusive but practical method.
8. In accordance with Env-Wt 404.05, (a), Walls, adjacent to nontidal waters, walls shall be permitted only where lack of space or other limitations of the site make alternative stabilization methods impractical.
9. In accordance with Env-Wt 404.05, (4), Walls, applications for walls adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.

Findings of Fact

1. On February 2, 2010, the Wetlands Bureau received an application for surface water impacts on the lot identified as Atkinson tax map 23, lot 79, to repair and replace 94 linear feet of retaining wall on the shoreline on Island Pond, in Atkinson. The application was submitted with a \$200 application fee.
2. The application materials submitted did not support the claim of an existing 94 linear feet of retaining wall on the frontage, but instead showed a combination of loose stones and natural shoreline along the frontage. As there is no pre-existing wall to be repaired the proposal is considered to be construction of 94 linear feet of new wall along the entire the frontage. An additional \$80 in fees is due to cover the sq ft of dredge or fill necessary to install the requested new wall.
3. On April 2, 2010 the Department issued a Request for More Information letter to the applicant. This letter requested submission of a construction sequence and details that describe what actions would be taken to control siltation, erosion and turbidity during construction.
4. The Request for More Information letter requested a cross-section diagram showing existing and proposed grades, the height and width of the retaining wall, and methods for diversion of surface runoff water relative to the normal high water line.
5. The Request for More Information letter requested a signed abutter permission letter for the work located within the 20 foot setback to the abutter's property line.
6. The Request for More Information letter requested photographs supported the existence of the allegedly existing wall and impact area.
7. On June 1, 2010 the Department received an incomplete response to the Request for more Information Letter. The Applicant did not submit construction details for the project, the requested cross sections of the proposed wall, nor did they submit evidence of a pre existing wall on the frontage.
8. The Applicant has at no time submitted evidence of the need for a new wall with the application materials.

Rulings in Support of Denial

1. The Applicant did not submit the required information supporting the need for the proposed impacts, therefore pursuant to Env-Wt 302.04, the application is denied.
2. The Applicant did not submit evidence that that installing a wall would be the least impacting alternative in accordance with 404.01, therefore, the application is denied.
3. The application did not include the required fee for a new retaining wall pursuant to RSA 482-A, therefore, the application is denied.

2010-00289 SUREYA M ENNABE REVOC LIVING TRUST **PORTSMOUTH Tidal Buffer Zone**

Requested Action:

Impact a total of 11,981 square feet in the previously developed upland tidal buffer zone to redevelop an existing commercial site with site improvements and construction of a commercial structure, including redeveloping 5,900 square feet with buildings and parking, and returning 6,081 square feet to a natural, vegetated buffer state.

APPROVE PERMIT:

Impact a total of 11,981 square feet in the previously developed upland tidal buffer zone to redevelop an existing commercial site with site improvements and construction of a commercial structure, including redeveloping 5,900 square feet with buildings and parking, and returning 6,081 square feet to a natural, vegetated buffer state.

With Conditions:

1. All work shall be in accordance with plans by SYTDesign Consultants dated 5/27/2010, as received by DES on 6/2/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or matting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
8. Silt fencing must be removed once the area is stabilized.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The site structures are currently in an unusable and substandard condition.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal will redevelop the property in a manner that will meet current standards and improve the tidal buffer zone buffer functions between the developed area and the adjacent salt marsh.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau notes several species of concern in the project vicinity, but further states that implementation of storm water BMP's will provide adequate protection to those species.
5. The Portsmouth Conservation Commission recommends approval of the project.
6. The project received a DES Shoreland Permit 2010-1171 for authorization under RSA 483-B for the project.

**2010-00835 WINNIPESAUKEE BEACH COLONY CLUB ASSOCIATION, HONOR
MEREDITH Lake Winnepesaukee**

Requested Action:

Remove 70 cu yd of sand from 3,675 sq ft of an existing beach and replenish with 70 cu yd of clean sand on an average of 593 ft of frontage on Lake Winnepesaukee, in Meredith.

APPROVE PERMIT:

Remove 70 cu yd of sand from 3,675 sq ft of an existing beach and replenish with 70 cu yd of clean sand on an average of 593 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated September 24, 2009, as received by DES on April 5, 2010.
2. All excavated sand shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No work or modification is authorized to the retaining walls associated with the structure.
4. The volume of sand replenished shall not exceed the volume of sand removed. All work shall be limited to areas located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(o), alteration of jurisdictional areas that do not meet the requirements of section Env-Wt 303.02 or Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-00837 SCHENA, CYNTHIA
BRISTOL Newfound Lake

Requested Action:

Install a second seasonal pier measuring 4 ft x 30 ft at a location 24 ft from the west property line on an average of 212 ft of frontage on Newfound Lake, in Bristol.

APPROVE PERMIT:

Install a second seasonal pier measuring 4 ft x 30 ft at a location 24 ft from the west property line on an average of 212 ft of frontage on Newfound Lake, in Bristol.

With Conditions:

1. All work shall be in accordance with plans received by DES on April 7, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. The two seasonal docking structures shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of docking facilities that provide 3 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 212 feet of shoreline frontage along Newfound Lake.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2010-00852 BARTELS LIVING TRUST UTI, MERL LOUISE
BARRINGTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 4,120 sq. ft. of wetlands to upgrade an existing woods road to serve as driveway access to two lots of a four-lot subdivision on 28.5 acres, including 535 sq. ft. of impact and installation of an 18" x 25' culvert; and 3,585 sq. ft. of impact and installation of a 18" x 25' culvert.

APPROVE PERMIT:

Dredge and fill a total of 4,120 sq. ft. of wetlands to upgrade an existing woods road to serve as driveway access to two lots of a four-lot subdivision on 28.5 acres, including 535 sq. ft. of impact and installation of an 18" x 25' culvert; and 3,585 sq. ft. of impact and installation of a 18" x 25' culvert.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated 3/22/2010, as received by DES on 4/9/2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate in non-tidal wetlands which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Wetlands must be crossed at some location on the property to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossings are confined to the existing woods road, and avoids new impacts to undisturbed wetland areas.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The application accounts for wetland impacts of the unpermitted woods road, as well as just upgrading the crossings.
5. The Barrington Conservation Commission did not report, and did not indicate that this project was proximal to designated prime wetlands.

2010-01334 GOSHEN, TOWN OF (MARY WALTER)
GOSHEN Gunnison Brook

Requested Action:

Dredge and fill \pm 1,537 sq. ft. and temporarily impact \pm 304 sq. ft. of Gunnison Brook at Cross Rd. to replace twin 66-in. x 24-ft. CMP culverts with a 38-ft. single span concrete bridge and install a dry hydrant.

APPROVE PERMIT:

Dredge and fill $\pm 1,537$ sq. ft. and temporarily impact ± 304 sq. ft. of Gunnison Brook at Cross Rd. to replace twin 66-in. x 24-ft. CMP culverts with a 38-ft. single span concrete bridge and install a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by Eckman Engineering, LLC not dated and dated May 07, 2010, as received by the Department on May 21, 2010.
2. The Town shall obtain the appropriate construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2010-01334 prior to construction
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), (1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The proposed span will pass the 100-year storm with 3 feet of freeboard.

3. The Applicant coordinated with the NHFG Fisheries Division on the project design.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01369 CENTERVIEW HOLLOW LAND COMPANY LLC
NEWTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 4,914 sq. ft. of palustrine forested/ scrub-shrub wetlands and install 95 linear feet of 24 inch and 35 linear feet of 15 inch ADS culvert pipe for work associated with the construction of a roadway to access the remaining phases of an 80-unit senior housing development.

Conservation Commission/Staff Comments:

No comments were received from the Newton Conseravtion Commission.

APPROVE PERMIT:

Dredge and fill a total of 4,914 sq. ft. of palustrine forested/ scrub-shrub wetlands and install 95 linear feet of 24 inch and 35 linear feet of 15 inch ADS culvert pipe for work associated with the construction of a roadway to access the remaining phases of an 80-unit senior housing development.

With Conditions:

1. All work shall be in accordance with plans by True Engineering dated February 23, 2004, as received by DES on May 24, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2010-00643 LONDONDERRY DPW, TOWN OF
LONDONDERRY Unnamed Wetland

Requested Action:

Impact a total of 2,780 sq. ft. (440 sq. ft. temporary and 2,340 sq. ft. permanent impacts) within the embankments and flow channel of a perennial stream to replace the existing culvert with a 8 ft. wide X 3 ft. high box culvert with headwalls and rip-rap slope protection on Litchfield Road.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission recommends approval of the application.

APPROVE PERMIT:

Impact a total of 2,780 sq. ft. (440 sq. ft. temporary and 2,340 sq. ft. permanent impacts) within the embankments and flow channel of a perennial stream to replace the existing culvert with a 8 ft. wide X 3 ft. high box culvert with headwalls and rip-rap slope protection on Litchfield Road.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 01/20/2010, as received by DES on March 15, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) public roadway culvert replacement.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-00814 BALDWIN TRANSPORTATION SERVICES INC, R
OSSIPEE Unnamed Wetland

Requested Action:

Dredge and fill 250 square feet of wetlands to install an 18" x 30' culvert for construction of a driveway connecting two sides of a commercial lot.

APPROVE PERMIT:

Dredge and fill 250 square feet of wetlands to install an 18" x 30' culvert for construction of a driveway connecting two sides of a commercial lot.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated 3/2/2010, as received by DES on 4/1/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project area by the NH Natural Heritage Bureau.
5. The Ossipee Conservation Commission intervened but did not report further.

2010-00817 AYOTTE, KENNETH & NICHOLE
NEWMARKET Tributary To Great Bay

Requested Action:

Dredge and fill 516 sq. ft. of wetlands to install a 10' x 4'5" x 30' open bottom pipe arch replacement driveway culvert.

APPROVE PERMIT:

Dredge and fill 516 sq. ft. of wetlands to install a 10' x 4'5" x 30' open bottom pipe arch replacement driveway culvert.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering dated 3/26/2010, as received by DES on 4/2/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair of a non-docking structure such as a culvert. The increase in the replacement culvert size improves the stream flow conditions and should accomodate bankfull flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing under-sized twin culverts are failing.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Newmarket Conservation Commission had no objections to the project.

2010-00853 GRAFTON, TOWN OF
GRAFTON Unnamed Wetland

Requested Action:

Impact a total of 2,670 sq. ft. within the embankments and flow channel of Mill Brook (1,795 sq. ft. temporary & 875 sq. ft. permanent impacts) for work associated with the replacement of the bridge which carries Mill Brook Road over Mill Brook, including rip-rap bank stabilization.

Conservation Commission/Staff Comments:

No comments were received from the Grafton Conservation Commission.

APPROVE PERMIT:

Impact a total of 2,670 sq. ft. within the embankments and flow channel of Mill Brook (1,795 sq. ft. temporary & 875 sq. ft. permanent impacts) for work associated with the replacement of the bridge which carries Mill Brook Road over Mill Brook, including rip-rap bank stabilization.

With Conditions:

1. All work shall be in accordance with plans by H.E.Bergeron Engineers, Inc. dated 04/02/2010, as received by DES on April 09, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the

substructure work area from the surface waters.

9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(h), installation of a bridge provided that specified conditions 1-3 are met.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01234 ALTON, TOWN OF
ALTON Unnamed Stream

Requested Action:

Request to replace and realign existing 48 inch culvert associated with a perennial stream that drains into Coffin Brook.

Conservation Commission/Staff Comments:

1. The Conservation Commission provide comments of no objection.

APPROVE PERMIT:

Dredge and fill 251 sq. ft. (includes 38 sq. ft. temporary impacts) of perennial stream to replace and realign and existing 48 inch CMP culvert within a perennial stream that drains to Coffin Brook.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental, LLC dated April 13, 2010, as received by DES on May 10, 2010.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Work shall be done during low flow.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired immediately.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand

dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

EXPEDITED MINIMUM

2010-00420 GIOIOSO, FERRANTE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace an existing 12 ft x 14 ft 6 in deck within the bank, in-kind, on 100 ft of frontage on Long Island, in Lake Winnepesaukee.

APPROVE PERMIT:

Replace an existing 12 ft x 14 ft 6 in deck within the bank, in-kind, on 100 ft of frontage on Long Island, in Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Construction Planners Inc. dated November 6, 2009, as received by DES on March 4, 2010.
2. The repairs shall maintain the size, location and configuration of the pre-existing structures.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. No trees or ground cover vegetation shall be removed to facilitate this project.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04 (x), in-kind repairs of non-docking structures.

2010-01157 STATE OF NEW HAMPSHIRE
PORTSMOUTH Piscataqua River

Requested Action:

Repair in-kind existing 12' x 12' oak timber vessel beach-out structure and structure base in same footprint at the Portsmouth Commercial Fish Pier; total impact 600 sq. ft. below the highest observable tide line.

APPROVE PERMIT:

Repair in-kind existing 12' x 12' oak timber vessel beach-out structure and structure base in same footprint at the Portsmouth Commercial Fish Pier; total impact 600 sq. ft. below the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by the NH Division of Ports and Harbors dated 4/15/2010, as received by DES on 5/10/2010.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low tide.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
6. Faulty equipment shall be repaired prior to entering jurisdictional areas.
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
8. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance or repair in-kind of existing docking facilities.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing structure has lost structural members which prevent its proper function and safety, and which contribute to tidal substrate erosion when used in its current condition.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau for the project location.
5. The Portsmouth Conservation Commission signed the expedited application.

2010-01380 KRINSKY, MICHAEL
MARLBOROUGH Unnamed Stream Unnamed Wetland

Requested Action:

Dredge and fill approximately 1512 sq. ft. of wetlands and 14 linear ft. of stream all within the bed of and existing woods road. The work is needed to repair the existing stone ford/roadbed to provided safe and stable seasonal access for forest and habitat management.

APPROVE PERMIT:

Dredge and fill approximately 1512 sq. ft. of wetlands and 14 linear ft. of stream all within the bed of and existing woods road. The work is needed to repair the existing stone ford/roadbed to provided safe and stable seasonal access for forest and habitat management.

With Conditions:

1. All work shall be in accordance with plans by USDA Natural Resources Conservation Service "Plan Map" dated 3/4/10, as received by DES on 5/11/10 and plans dated 3/5/10, as received by DES on 6/1/10.
2. Any conversion of the crossing for uses other than forestry or habitat management will require new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Work shall be done during low flow.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The existing crossing/road was flooded by a beaver dam that is now removed.
3. The new road bed and stone ford will stabilize the current road bed that is eroding and is being negatively impacted by unauthorized travel.
4. The new crossing will provide a stable area for aquatic organism passage under high and normal stream flows and safe passage for seasonal management activities.
5. The stream appears to be intermittent, however, according to the NRCS engineer it is influenced by stream flows that overtop from Stone Pond into the stream rather than exiting the pond through Stone Pond Brook.
6. This stream appears to be a tributary to the main stem of Shaker Brook.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01457 PITTSFIELD AQUEDUCT
PITTSFIELD Berry Pond

Requested Action:

Proposal to impact 1700 sq. ft. (temporary) of wetlands ("Berry Pond Dam") to repair a concrete abutment and vegetation removal on an existing dam structure and remove woody vegetation and debris from the riprap spillway channels.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Approval to impact 1700 sq. ft. (temporary) of wetlands ("Berry Pond Dam") to repair a concrete abutment and vegetation removal on an existing dam structure and remove woody vegetation and debris from the riprap spillway channels.

With Conditions:

1. All work shall be in accordance with plans by Turner Group dated May 17, 2010, as received by DES on June 14, 2010.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2010-01381 SOUTHER, CHARLES/DIANE
CONCORD Unnamed Wetland

Requested Action:

Proposal to dredge and fill approximately 3,730 sq. ft. of poorly drained wetlands for construction of an approximately 11,400 sq. ft. irrigation/farm pond at "Apple Hill Farm".

APPROVE PERMIT:

Dredge and fill approximately 3,730 sq. ft. of poorly drained wetlands for construction of an approximately 11,400 sq. ft. irrigation/farm pond at "Apple Hill Farm".

With Conditions:

1. All work shall be done in accordance with plans by USDA Natural Resources Conservation Service, dated April 2010, and received by DES on June 1, 2010. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u) Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2010-01662 GRAHAM, MONTRIVILLE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2010-01663 BOTBYL, ALFRED
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2010-01719 SPRINGER, NORMAN
ALTON Lake Winnepesaukee

COMPLETE NOTIFICATION:

Alton Tax Map 63, Lot 32, Block 000. Lake Winnepesaukee

2010-01720 SPRINGER, NORMAN
ALTON Lake Winnepesaukee

COMPLETE NOTIFICATION:

Alton Tax map 63, Lot 32, Block 002, Lake Winnepesaukee

2010-01722 JACOBS TRUST, THE F CAROLINE
FRANCESTOWN Pleasant Pond

COMPLETE NOTIFICATION:

Francestown tax map 18 lot 9, Pleasant Pond

2010-01723 ANGLE POND WOODS CONDOMINIUM ASSOCIATION
HAMPSTEAD Angle Pond

COMPLETE NOTIFICATION:

Hampstead Tax map 11 lot 31, Angle Pond

ROADWAY MAINTENANCE NOTIF

2010-01703 NH DOT, DICTRICT 2
NEW LONDON Unnamed Stream

COMPLETE NOTIFICATION:

Replace 40' of 15" C.M.P. culvert pipe. With 40' of 15" C.M.P. Pipe #2 replace 15" C.M.P. with 18x24 C.M.P. Clean out inlet and outlet, rebuild headers, Hay and seed area.

2010-01708 NEW BOSTON, TOWN OF
NEW BOSTON Unnamed Stream

COMPLETE NOTIFICATION:

Replace an existing 15" culvert with an 18-inch culvert and extend the culvert by five feet on both sides of the structue within the town right-of-way

2010-01710 TOWN OF NEWINGTON
NEWINGTON Unnamed Stream

COMPLETE NOTIFICATION:

Replace existing, heavily corroded 15-inch diameter corrugated metal culvert with 15-inch diameter HDPE culvert

2010-01712 NH DEPT OF TRANSPORTATION
DUBLIN Unnamed Stream

COMPLETE NOTIFICATION:

Replace existing 15" corrugated metal pipe (36' in length) with 15" plastic culvert. Reconstruct existing stone headwalls

2010-01724 HOLLIS, TOWN OF
HOLLIS Unnamed Wetland

COMPLETE NOTIFICATION:

Replace 24" culvert with 36" pipe.

2010-01725 PIERMONT, TOWN OF
PIERMONT Unnamed Wetland

COMPLETE NOTIFICATION:

Replace culvert

2010-01737 HOLLIS, TOWN OF
HOLLIS Unnamed Wetland

COMPLETE NOTIFICATION:

Headwall and culvert replacement

PERMIT BY NOTIFICATION

2010-01126 NH DEPT OF TRANSPORTATION
WAKEFIELD Pine Brook

Requested Action:

Construct a cofferdam and pour concrete over the connection between the existing concrete invert and the metal arch set on top temporarily impacting 2,060 sq. ft. of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

PBN IS COMPLETE:

Construct a cofferdam and pour concrete over the connection between the existing concrete invert and the metal arch set on top temporarily impacting 2,060 sq. ft. of riverine wetlands. NHDOT project #15947.

2010-01655 TROOP, ROBERT & CYNTHIA
MEREDITH Lake Winnepesaukee

Requested Action:

PBN disqualified as existing docking structure exceeds previously permitted dimension.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN DISQUALIFIED:

PBN disqualified as existing docking structure exceeds previously permitted dimension.

With Findings:

PBN disqualified as existing docking structure exceeds previously permitted dimension.

2010-01656 DION, ARTHUR
ACWORTH Crescent Lake

Requested Action:

Remove an existing crib dock and install a seasonal dock and anchor pad.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN DISQUALIFIED:

Remove an existing crib dock and install a seasonal dock and anchor pad.

With Findings:

1. The applicant proposed to remove a crib dock from public waters, the dredge of material would be classified as a minor impact project pursuant to Env-Wt 303.03(g).

2010-01667 SIMARD, CURTIS & LAUREL
NEW DURHAM Merrymeeting Lake

Requested Action:

Installation of an anchor pad for a seasonal dock.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Installation of an anchor pad for a seasonal dock.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ab), installation of an anchor pad for a seasonal dock.

2010-01675 GILLIS, HARRY & ETHEL
MEREDITH Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2010-01676 LOON ISLAND ASSOCIATION

MEREDITH Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Comm signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2010-01681 ROGERS, STEPHEN

ALTON Lake Winnepesaukee

Requested Action:

Installation of a seasonal boatlift in an existing boatslip.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Installation of a seasonal boatlift in an existing boatslip.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac), installation of a seasonal boatlift in an existing boatslip.

CSPA PERMIT

2008-01691 HOLDRIDGE, DOUGLAD/BARBARA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 676 sq feet to install stone steppers; install a stone pathway; regrade driveway; install stonedrip edge on side of existing house, install catch pipe and install a retaining wall.

AMENDMENT DESCRIPTION: Construct a 4ft x 7ft 4in deck on the north east corner of house. Impervious area for post-construction to be no more than 20 percent.

Conservation Commission/Staff Comments:

project was not assigned a project category at the time of data entry and therefore did not show in the permitting work queue. Application lapsed and was deemed approved.

APPROVE AMENDMENT:

Impact 676 sq feet to install stone steppers; install a stone pathway; regrade driveway; install stonedrip edge on side of existing house, install catch pipe and install a retaining wall.

AMENDMENT DESCRIPTION: Construct a 4ft x 7ft 4in deck on the north east corner of house. Impervious area for post-construction to be no more than 20 percent.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated August 5, 2008 and received by the Department of Environmental Services ("DES") on August 21, 2008.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,467 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,379 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. The proposed beach replenishment requires a wetlands permit and is not permitted with this shoreland permit.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-00918 EMERSON MILLS CONDOMINIUM
PEMBROKE Suncook River

Requested Action:

Impact 1,732 sq ft for the purpose of constructing a paved apron and installing drainage pipe.

APPROVE PERMIT:

Impact 1,732 sq ft for the purpose of constructing a paved apron and installing drainage pipe.

With Conditions:

1. All work shall be in accordance with revised plans by SFC Engineering Partnership, Inc., dated June 4, 2010 and received by the Department of Environmental Services ("DES") on June 7, 2010.
2. No more than 75.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
14. Any impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.

2010-01359 LAROCHELLE, JOHN
FITZWILLIAM Sips Pond

Requested Action:

Impact 225 sq.ft. for the construction of a screened porch and 9ft x 9ft deck.

APPROVE PERMIT:

Impact 225 sq.ft. for the construction of a screened porch and 9ft x 9ft deck.

With Conditions:

1. All work shall be in accordance with plans by John P. LarRochelle dated May 2010 and received by the Department of Environmental Services ("DES") on May 28, 2010.
2. No more than 27.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least N/A sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01445 PERRINO, RUSSELL
BATH Ammonoosuc River

Requested Action:

Impact 2,400 sq.ft. for the installation of a driveway and gravel pad for a camper.

Amendment description: The approved project is located on the Wild Ammonoosuc River located on lot 11.

APPROVE AMENDMENT:

Impact 2,400 sq.ft. for the installation of a driveway and gravel pad for a camper.

Amendment description: The approved project is located on the Wild Ammonoosuc River located on lot 11.

With Conditions:

1. All work shall be in accordance with plans by Russell Perrino dated June 2010 and received by the Department of Environmental Services ("DES") on June 7, 2010.
2. No more than 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,800 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,800 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01466 LEBANON PLAZA ASSOCIATES, C/O WILLIAM H MCCABE III
WEST LEBANON Mascoma River

Requested Action:

Impact 6,437 sq ft for the purpose of upgrading public roadway infrastructure.

APPROVE PERMIT:

Impact 6,437 sq ft for the purpose of upgrading public roadway infrastructure.

With Conditions:

1. All work shall be in accordance with plans by Gove Environmental dated May 26, 2010 and received by the Department of Environmental Services ("DES") on June 6, 2010.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.

7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Silt fencing must be removed once the area is stabilized.

2010-01490 BATCHELDER, BRIAN/KATHLEEN
WAKEFIELD Belleau Lake

Requested Action:

Impact 2525 sq.ft. for the construction of new home, walkways, shed and parking area.

APPROVE PERMIT:

Impact 2,525 sq.ft. for the construction of new home, walkways, shed and parking area.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated June 9, 2010 and received by the Department of Environmental Services ("DES") on June 11, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 9.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,888 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01507 GREVIOR TRUST, ROBERT & ANDREA
ANDOVER Highland Lake

Requested Action:

Impact 3678 sq.ft. for the reconstruction of existing house on new footprint, new driveway and parking area.

APPROVE PERMIT:

Impact 3678 sq.ft. for the reconstruction of existing house on new footprint, new pervious driveway and parking area.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs, LLC dated May 28, 2010 and received by the Department of Environmental Services ("DES") on June 11, 2010.
2. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,145 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01511 YOUNG REVOC TRUST
DUBLIN Dublin Pond

Requested Action:

Impact 3000 sq.ft. for the installation of a well and septic system for existing bath house, construction of house and parking area.

APPROVE PERMIT:

Impact 3,000 sq.ft. for the installation of a well and septic system for existing bath house, construction of house and parking area.

With Conditions:

1. All work shall be in accordance with plans by Duffield Engineering & Consulting dated November 2009 and received by the Department of Environmental Services ("DES") on June 14, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 10.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 10,605 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,805 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01514 VELLO, WILLIAM & DONNA
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 5,612 sq.ft. for the reconstruction of existing cottage and replacement of septic system.

APPROVE PERMIT:

Impact 5,612 sq.ft. for the reconstruction of existing cottage and replacement of septic system.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated June 2010 and received by the Department of Environmental Services ("DES") on June 14, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,380 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,288 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-01517 DUVAL, EARL
ALTON Lake Winnepesaukee

Requested Action:

Impact 1,329 sq.ft. for the construction of two shed outbuildings.

APPROVE PERMIT:

Impact 1,329 sq.ft. for the construction of two shed outbuildings.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated June 9, 2010 and received by the Department of Environmental Services ("DES") on June 14, 2010.
2. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,611 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,507 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01518 EASTMAN COMMUNITY ASSOCIATION
GRANTHAM Eastman Lake

Requested Action:

Impact 9450 sq.ft. for the installation of storm water management features and six culvert replacements.

APPROVE PERMIT:

Impact 9,450 sq.ft. for the installation of storm water management features and six culvert replacements.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated May 3, 2010 and received by the Department of Environmental Services ("DES") on June 14, 2010.
2. All actions associated with the proposed installation and replacement of culverts and dredge and fill for sediment pools are contingent on approval by the DES Wetlands Bureau."
3. No more than 23.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 120,332 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 218,490 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01522 MERRILL, BRUCE
DUNBARTON Gorham Pond

Requested Action:

Impact 256 sq ft for the construction of an 8 ft x 32 ft screened porch.

DENY PERMIT:

Impact 256 sq ft for the construction of an 8 ft x 32 ft screened porch.

With Findings:

Standards for Approval

1. Pursuant to RSA 483-B:3, Consistency Required, "State and local permits shall be issued only when consistent with the policies of this chapter."
2. Pursuant to RSA 483-B:9,V,(a)(1), "The waterfront buffer shall be those protected shorelands within 50 feet of the reference line. The purpose of this buffer shall be to protect the quality of public waters while allowing homeowner discretion with regard to water access, safety, viewscape maintenance, and lot design."
3. Pursuant to RSA 483-B:9 (V)(g)(1), "Subject to subparagraph (2), no more than 30% of the area of the lot located within the protected shoreland shall be composed of impervious surfaces."

Finding of Fact

1. The Applicant is the homeowner of a lot that is approximately 0.2 acres in size located within the protected shoreland of Gorham Pond more particularly identified as Dunbarton tax map K-1, lot 01/08 (the "Property").
2. On June 14, 2010 the Department of Environmental Services received an application to impact 256 square feet of the protected shorelands to construct a screened porch attached to primary structure. The total impervious area of this lot would be increased to 35 percent by this project.
3. The Applicant is proposing impacts to the Protected Shoreland that exceed the limitation established by RSA 483-B:9(V)(g).

Ruling in Support of the Decision

1. The issuance of a permit to increase the impervious area of the lot within the protected shoreland from 32.0% to 35.0% would not be permissible under RSA 483-B:9 (V)(g)(1), and would not be consistent with the intent and purpose of the RSA 483-B and, therefore, is prohibited by RSA 483-B:3, "Consistency Required," Therefore, this application for a permit is denied.

2010-01529 LEBANON, CITY OF
LEBANON Mascoma River

Requested Action:

Impact 2100 sq.ft. for the construction of a 420'x5' ADA trail.

APPROVE PERMIT:

Impact 2,100 sq.ft. for the construction of a 420ft x 5ft ADA trail.

With Conditions:

1. All work shall be in accordance with plans by City of Lebanon dated June 2010 and received by the Department of Environmental Services ("DES") on June 15, 2010.
2. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 53,179 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-00260 LEBANON PLAZA ASSOCIATES, C/O WILLIAM H MCCABE III
WEST LEBANON Mascoma River

Requested Action:

Amend existing shoreland impact permit to impact an additional 417 sq ft for the purpose of regrading associated with traffic improvements.

APPROVE AMENDMENT:

Impact 96,801 sq ft for the purpose of redeveloping a commercial lot.

WAIVERS APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage. RSA 483-B:9, (V)(b)(2)(A)(ii) waived to allow an unaltered area of the natural woodland buffer to be further impacted.

With Conditions:

1. All work shall be in accordance with revised plans by Gove Environmental, Inc., dated May 26, 2010 and received by the Department of Environmental Services ("DES") on June 9, 2010.
2. This approval includes a waivers of RSA 483-B:9, V(g)(1) and RSA 483-B:9, (V)(b)(2)(A)(ii) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 63.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the Alteration of Terrain Program.
5. All additional impacts resulting from the revised off-site traffic improvements shall be replanted with native vegetation as depicted on plans recieved by DES on June 9, 2010.
6. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
8. The proposed planting plan shall be implemented to ensure the plantings have a 100% success rate.
9. The project as proposed will leave approximately 4,841 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Silt fencing must be removed once the area is stabilized.

With Findings:

WAIVER APPROVED:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected

shoreland adjacent to the Mascoma River and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.

2. The redevelopment of this commercial lot that will disrupt and unaltered area of the natural woodland buffer that does not currently meet the minimum requirement of RSA 483-B:9 V(b)(2)(A)ii.

3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

4. The applicant has proposed to restore 1,183 sq ft of the waterfront buffer with natural, native vegetation.

5. The applicant has proposed to install stormwater controls capable of infiltrating all stormwater on-site.

6. The applicant has proposed to achieve a greater setback from the reference line.

7. The applicant has proposed to reduce the overall area of imperviousness within the protected shoreland by 1.2%.

8. The applicant has proposed to remove an antiquated septic system from the subject lot.

9. The applicant has proposed to install stormwater controls, significantly enhance the waterfront buffer and reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

10. Env-Wq 1405.03(c) and Env-Wq 1405.05 is waived to allow construction of an accessory structure on a slope within the waterfront buffer greater than 45% and larger in total size than the 325.93 sq ft limitation.

11. The proposed entrance way will be located on a slope that exceeds 45% and is 102.87 sq ft greater than the established size limitation for this lot and, therefore, fails to conform to the slope restriction set forth in Rule Env-Wq 1405.05 and the accessory structure size limitation per Rule Env-Wq 1405.03(c)(1).

12. Granting the rule waiver request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety.

13. Granting the request will not result in an impact on abutting properties that is more significant than that which would result from complying with the rule.

14. Granting the request is consistent with the intent and purpose of the rule being waived.

15. The applicant's proposal will significantly enhance the overall conditions of the subject lot as additional native vegetation will be planted to enhance the existing vegetated buffers, a sound stormwater management system will be installed and existing antiquated septic system is proposed to be removed.

2010-00875 NORTON, DOUGLAS & DEBORAH
SANBORTON Lake Winnisquam

Requested Action:

Impact 5,830 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 5,830 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated June 2, 2010 and received by the Department of Environmental Services ("DES") on June 4, 2010.

2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.

3. No more than 28.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.

5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate

stormwater.

6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all proposed plantings achieve a 100% success rate.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 130 sq ft of impervious area from the waterfront buffer.
4. The applicant has proposed to install stormwater controls consisting of 1 foot deep x 2 feet wide infiltration trenches under the drip edges of the proposed structure.
5. The applicant has proposed to construct a 2 ft wide vegetated swale the directs stormwater to a level spreader.
6. The applicant has proposed to reduce the overall area of imperviousness within the protected shoreland.
7. The applicant has proposed to achieve a greater setback from the reference line.
8. The applicant has proposed to provide additional levels of native vegetation within the waterfront buffer.
9. The applicant has proposed to install significant stormwater controls and significantly enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01147 CUNNINGHAM, DALE/ROBERT
CROYDON Rockybound Pond

Requested Action:

Impact 3,947 sq ft for the purpose of replacing a primary structure and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 3,947 sq ft for the purpose of replacing a primary structure and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the redevelopment of a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering, dated March, 2010 and received by the Department of

Environmental Services ("DES") on May 10, 2010.

2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 48.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and completing the installation of the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Rocky Bound Pond and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed a decrease in overall imperviousness within the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip line of the proposed structure.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01200 SIROTA, SCOTT & DIANALYN
WAKEFIELD Great East Lake

Requested Action:

Impact 2,620 sq ft for the purpose of expanding a nonconforming primary structure and installing a new septic system.

APPROVE PERMIT:

Impact 2,620 sq ft for the purpose of expanding a nonconforming primary structure and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans created by Nathan Fogg and received by the Department of Environmental Services ("DES") on May 13, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all plantings achieve a 100% success rate.
7. The project as proposed will leave approximately 3,090 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Great East Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install a new NH Subsurface Bureau approved septic system.
4. The applicant has proposed to install infiltration trenches under the drip edges of the proposed structure.
5. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the waterfront buffer by approximately 263 sq ft, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

Requested Action:

Impact 10,740 sq ft for the purpose of expanding a nonconforming primary structure.

APPROVE PERMIT:

Impact 10,740 sq ft for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by William J. McNair, dated May 5, 2010 and received by the Department of Environmental Services ("DES") on May 17, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 25.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. The project as proposed will leave approximately 1,040 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the area of imperviousness within the protected shoreland by 213 sq ft.
4. The applicant has proposed to install stormwater controls consisting of 1 foot deep x 2 feet wide infiltration trenches under the

drip edges of the proposed residential unit and garage.

5. The applicant has proposed to plant additional native vegetation.
6. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
7. The applicant has proposed to install stormwater controls, install a new septic system, reduce the total amount of impervious surface coverage by approximately 213 sq ft, and provide additional vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01310 LINDQUIST, ALLEN
LACONIA Winnisquam Lake

Requested Action:

Amend existing shoreland impact permit to construct a 24 ft x 24 ft garage.

APPROVE AMENDMENT:

Impact 80 sq ft for the purpose of expanding a nonconforming primary structure and constructing a new garage.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by Allen Lindquist and received by the Department of Environmental Services ("DES") on June 21, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 17.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. The project as proposed will leave approximately 6,645 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove an existing patio so there is only a slight increase in impervious area within the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of a drywell capable of collecting all stormwater from the primary structure and garage as well.
5. The applicant has proposed to install stormwater controls consisting of infiltration stairs that will be capable of infiltrating significant amounts of stormwater from the driveway.
6. The applicant has proposed to install significant stormwater controls, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01375 BARKING DOG REALTY TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 3,920 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 3,920 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) and RSA 483-B:9, V (g)(1), are waived to allow the expansion of a primary structure that encroaches upon the primary building setback and exceeds the 30% impervious surface limitation.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, dated May 17, 2010 and received by the Department of Environmental Services ("DES") on June 1, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and RSA 483-B:9, V (g)(1), and therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 34.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. The project as proposed will leave approximately 2,435 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,316 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Lake Winnepesaukee and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.

3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

4. The applicant has proposed to remove 100 sq ft of impervious area from the waterfront buffer.

5. The applicant has proposed to install stormwater controls consisting of several infiltration trenches that direct stormwater to a drainage swale that in turn directs the stormwater to a rain garden.

6. The applicant has proposed to install significant stormwater controls and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.